

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CYNGOR BWRDEISTREF SIROL CASTELL-NEDD PORT TALBOT**

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE)(WALES) ORDER 2012**

APPROVAL OF FULL PLANNING PERMISSION

Name and address of the applicant

Tai Tarian
Ty Gwyn
Brunel Way
Baglan Energy Park
Neath
SA11 2FP

Name and address of the agent

Mr Iwan Rowlands
Asbri Planning
Suite D
1st Floor
220 High Street
Swansea
SA1 1NW

DATE REGISTERED: 12 November 2024

APPLICATION NO: P2024/0654

LOCATION: Land At The Former Tudor Inn , Cae Rhys Ddu Road, Cimla,
Neath, SA11 1JA

PROPOSAL: Demolition of nos. 23 and 25 Beacons View to create a new
vehicular access and the proposed development of 22 no.
dwellings and associated infrastructure works

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL as the Local Planning Authority in pursuance of its power under the above mentioned Act and Order hereby **GRANTS PLANNING PERMISSION** for the development as described above to be carried out in accordance with the application and the plans submitted therewith, subject to compliance with the following conditions:

Conditions:-

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

List of Approved Plans

- 2 The development shall be carried out in accordance with the following approved plans and documents:

2617-00(03)101D Location Plan
2617-00(03)100M Site Layout
Planning, Design and Access Statement
Pre-Application Consultation ('PAC') Report
Construction Environmental Management Plan
Green Infrastructure Statement
Preliminary Roost Assessment at Numbers 23 and 25 Beacons View
Protected Species Survey
Potential Tree Bat Roost Survey
Reptile Translocation Methodology
Grassland Assessment
Arboricultural Impact Assessment Plan
Arboricultural Impact Assessment
Tree Constraints Plan
Tree Survey
Soft Landscape Proposals
Landscape Management Plan
Coal Mining Risk Assessment
Coal Mining Risk Assessment Figures and Appendices
Geotechnical and Geo-environmental Assessment
Geotechnical and Geo-environmental Assessment Figures and Appendices
Energy Statement
Historic Environment Desk Based Assessment
407.064719.00001_PD11 - Priority Junction TRO
407.064719.00001_PD10 - AT_D01 - REFUSE
407.064719.00001_PD10 - PRIORITY ACCESS
407.064719.00001_SK10 - PROPOSED PEDESTRIAN STRATEGY
2617-505-J - Engineering Appraisal
2617-501-I - Drainage Strategy Plan
407.064719.00001 - Land at Former Tudor Inn Cimla - Travel Plan - V4
407.064719.00001 - Land at Former Tudor Inn Cimla - Transport Statement -V7
Topographical Survey Sheets 1-4
HT 211 Elevations
HT 211 Floor Plans
HT 212 Elevations
HT 212 First Floor Plan
HT 212 Ground Floor Plan
HT 421 Elevations
HT 421 Floor Plans
HT 422 Elevations
HT 422 Floor Plans
HT 531 Elevations
HT 531 Floor Plans
HT 641 Elevations
HT 641 Floor Plans
Site Sections A-A and B-B

Reason:
In the interests of clarity.

Pre-Commencement Conditions

- 3 Before beginning any development at the site, you must do the following: -
- a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:
To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

NOTE: Templates of the required Notice and Site Notice are available to download at www.npt.gov.uk/planning

- 4 No development shall commence until:
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason:
To ensure that the assessment of the risk from past coal mining activity is satisfactory, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 5 Notwithstanding any other details which may be given in the application hereby approved, no development shall commence on site until a scheme to assess the nature and extent of any contamination on the site, and confirmation of whether or not it originates on the site shall be submitted to and agreed in writing with the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & NRW, 2012) and shall be submitted as a written report which shall include:

- (i) a survey of the extent, scale and nature of contamination and coal mine gas risk;

(ii) an assessment of the potential risks to:

- human health,
- ground waters and surface waters,
- adjoining land,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- ecological systems, and
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred remedial option(s).

Reason:

To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 6 No development shall commence on site until a remediation scheme to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, buildings, other property and the natural and historic environment shall be prepared and submitted to and approved in writing with the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives, remediation criteria and site management procedures. The measures proposed within the remediation scheme shall be implemented in accordance with an agreed programme of works.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to ensure compliance with Policies SP16 and EN8 of the Neath Port Talbot Local Development Plan.

- 7 No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of trees shown to be retained on the plans hereby approved. The approved scheme shall be carried out during the demolition of the buildings and throughout the course of the development and shall include:

a) a suitably scaled plan, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;

b) and in relation to every tree identified a schedule listing:

- information as specified in paragraph 4.4.2.5 of British Standard BS5837:2012 - Trees in Relation to Design, Demolition and Construction - Recommendations;
- any proposed pruning, felling or other work;

c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:

- any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area;
- all appropriate tree protection measures required before and during the course of development (in accordance with BS5837:2012).
- areas of existing landscaping to be protected from construction operations and the method of protection.

Reason:

To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP15 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 8 No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings hereby permitted has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason:

To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

- 9 Notwithstanding any other details that may be given in the application or shown on the plans hereby approved, no construction work shall commence until a scheme for the secure storage of waste/recycling bins and bicycles has been first submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be provided on site prior to the first occupation of any of the units and such facilities shall thereafter be retained as approved at all times.

Reason:

In the interests of the amenity of future occupiers and to ensure the development complies with Policies BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan

- 10 Prior to any works commencing on site, a detailed scheme for the off-site highway works on Beacons View shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail:

- a) New footways / footway connections.
- b) Tactile crossing points.
- c) Radii junction details
- d) Long and Cross section
- e) A schematic street lighting design
- f) Highway Construction details
- g) Traffic Regulation Order Scheme.
- h) Relocation of any existing street furniture / signage to facilitate the development.
- i) Full Traffic Management Scheme.

The TRO element must include consideration for any displaced existing on-street parking and where this can be alternatively accommodated.

The scheme as approved shall be implemented in its entirety prior to the first beneficial occupation of any of the units.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 11 Prior to any works commencing on site, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority for the proposed new estate road, detailing a minimum 5.5 metre wide carriageway with 2 metre wide footways on either side together with the following details:
- a) Longitudinal sections showing a gradient of not more than 1 in 12 or less than 1 in 150
 - b) Cross sections every 20 metres, and/or where any culvert outfalls, headwalls are located
 - c) Highway Drainage (including gullies, gully leaders, manholes, pipe sizes and gradients)
 - d) Highway Construction details
 - e) A schematic street lighting design
 - f) Highway Retaining Walls (if any), along with full structural and design calculations
 - g) Tactile crossing points
 - h) Informal on-street parking areas.

The scheme as approved shall be implemented in its entirety prior to the first beneficial occupation of any of the units.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

Action Conditions

- 12 Prior to the occupation of any of the units, the existing vehicular access into the site from Cae Rhys Ddu Road shall be stopped up in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority prior to any construction work commencing.

The submitted details shall include provision to future-proof use of the existing access for pedestrians and cyclists only, a further detailed scheme for which shall be submitted for the prior written approval of the Local Planning Authority prior to its construction.

The development shall thereafter only proceed in accordance with the approved details and thereafter there shall be no vehicular access into the site from Cae Rhys Ddu Road.

Reason:

To maintain opportunities for active travel connectivity and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 13 All works to be constructed on the public highway shall be subject to Road safety Audits, stages 1 to 4 in accordance with Design Manual for Roads and Bridges. Stage 3 shall be submitted upon completion of the development, and stage 4 shall be submitted 1 year after the completion of the development. Each stage of the Road safety Audit shall be submitted for approval in writing by the Local planning Authority. All issues highlighted at each stage, being addressed to the written approval of the Local Planning Authority within 3 months of that stage of that Road safety Audit has been approved.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 14 Pedestrian vision splays of 2.4 metres by 2.4 metres (measured from back of footway) shall be maintained on each side of every vehicular access/driveway and within which nothing over 600mm in height shall be erected or allowed to grow and shall be retained as such thereafter.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 15 All shared drives (serving a maximum of 5 dwellings) are to be 4.5m wide with a gradient not exceeding 1 in 9 and include pedestrian vision splays of 2.4m by 2.4m (measured from back of footway) which should be hard surfaced, with a turning facility provided so all vehicles can enter and leave in a forward gear.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 16 The new junction onto Beacons View shall be provided with visibility splays of 2.4m by 25m maintained each side of the access within which nothing over 600mm in height shall be erected or allowed to grow and shall be retained as such thereafter.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 17 The dwellings shall not be occupied until the access road carriageway and footways has been completed up to and including surface course level.

Reason:

In the interest of highway and pedestrian safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 18 The car parking spaces as shown on the approved plans shall be provided prior to the first beneficial use of the development hereby permitted commencing, and shall

thereafter be used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors and for no other purpose and permanently retained as such. Unless otherwise first agreed in writing, each parking space shall be surfaced in a porous material, or provision made to direct run-off water from the hard surface, to a permeable porous area or surface within the curtilage of the unit, to a maximum gradient of 1 in 9, with no surface water allowed to flow out onto the public highway.

Reason:

In the interest of highway safety and to ensure the development complies with Policy TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 19 The development shall be carried out strictly in accordance with the Soft Landscape Proposals and Landscape Management Plan hereby approved. For the avoidance of doubt, all landscaping proposals for the development should align with the planting provision as required and approved pursuant to the separate SAB application for the development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason:

In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP15 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

- 20 The development shall be carried out strictly in accordance with the recommendations outlined in the following ecological report writings submitted and hereby approved:

- Section 8 of the 'Protected Species Surveys' report by Hawkeswood Ecology dated October 2024;
- Section 8 of Preliminary Roost Assessment by Hawkeswood Ecology dated November 2024;
- Results and Conclusions section of 'Bat Preliminary Assessment, Technical Note, by Hawkeswood Ecology, dated September 2024;
- Sections 2 and 3 of 'Reptile Location Strategy' by Hawkeswood Ecology, dated November 2024; and
- Recommendations outlined in 'Grassland Assessment' by Hawkeswood Ecology;

Reason:

In the interest of biodiversity, to mitigate the loss of foraging habitats, and to accord with Policy 9 of Future Wales: The National Development Plan 2040 and Policy SP15 of the Adopted Neath Port Talbot Local Development Plan.

- 21 Prior to construction of any of the dwellings, a scheme indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, any gates fronting onto the highway shall be of a type which open inwards only and can be seen through. The approved boundary treatments shall be completed, as approved, prior the first beneficial occupation of the units and retained as such thereafter.

Reason:

In the interest of visual amenity and highway safety and to ensure compliance with Policies BE1 and TR2 of the Adopted Neath Port Talbot Local Development Plan.

- 22 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason:

To ensure that the assessment of the risk from past coal mining activity is satisfactory, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 23 The Tai Tarian Construction Environmental Management Plan, dated September 2024, submitted with the application and hereby approved shall be implemented as approved throughout the site preparation and construction phases of the development.

Reason:

In order to ensure necessary management measures are agreed and implemented to protect local amenity, especially for people living and/or working nearby, and highway safety during construction and to accord with Policies EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 24 No mechanical heating or ventilation plant, including air source heat pumps, shall be installed in any external areas of the site until a Noise Impact Assessment has been first submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out in accordance with BS 4142:2014 Method for rating and assessing industrial and commercial sound, the plant shall be installed and commissioned in accordance with the approved scheme.

Prior to first operation of the approved heating and ventilation plant, a Noise Impact Assessment demonstrating compliance with the target noise rating level shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with Policy EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 25 Prior to beneficial use of the proposed development commencing, a verification report which demonstrates the effectiveness of the agreed remediation works carried out in

accordance with condition 6 shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

- 26 In the event that contamination is found at any time when carrying out the approved development that was not previously identified, work on site shall cease immediately and shall be reported in writing to the Local Planning Authority. A Desk Study, Site Investigation, Risk Assessment and where necessary a Remediation Strategy must be undertaken in accordance with the following document:- Land Contamination: A Guide for Developers (WLGA, WAG & EAW, July 2006). This document shall be submitted to and agreed in writing with the Local Planning Authority. Prior to occupation of the development, a verification report which demonstrates the effectiveness of the agreed remediation, shall be submitted to and agreed in writing with the Local Planning Authority.

Reason:

To ensure the risks associated with previously unsuspected contamination at the site are dealt with, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks, and to ensure compliance with Policies SP16 and EN8 of the Adopted Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no doors, windows or openings of any kind shall be inserted in the side (south) elevation of Plot 5 without the prior express planning permission of the Local Planning Authority.

Reason:

In order to safeguard the privacy of neighbouring residential properties, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Adopted Neath Port Talbot Local Development Plan.

- 28 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 29 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

Informatives:

1 The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru/Welsh Water as Statutory Undertaker has statutory powers to access its apparatus at all times. Please refer to their Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru/Welsh Water before any development commences on site. As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Neath Port Talbot County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication 'Sewers for Adoption'- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com. The applicant is also advised that some public sewers and lateral drains may not be recorded on maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private

Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru/Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

2 Where grouting is proposed, NRW advise that the following information is considered:- The use of PFA (pulverised fuel ash) grout should be undertaken in line with the Environmental Code of Practice Report BR509 Stabilising Mine Workings with PFA Grouts by BRE. Depending on what grout is used, WRAP (Waste & Resources Action Programme) protocols and/or a permit might also be necessary.- Vulnerability Surveyi) Identification of all surface and groundwater features and users in the vicinity of the site including old or existing mine adits and mine-workings, drains and culverted features. In addition, all relevant historic documents held by the appropriate local planning authority should be used to identify any natural or man-made structures beneath or in the vicinity of the site.ii) It is important for a walk-over survey to be carried out to validate the vulnerability survey and identify any features not included in the formal records, i.e., disused adits or mine-workings etc.iii) Abstractors should be notified in case of grout break-out, licensed surface water abstractions and private water supplies downstream of a site need to be identified. For a main river this would typically be a few kilometres.- Clarification of the procedurei) Check area to be grouted against vulnerability survey and historic land-use records.ii) Identify the nature of any structures to be grouted, cavities in the sub-strata, mine-workings etc.iii) Whether grouting is to take place above or below the water table.iv) The method of grout injection, i.e., as part of an inner/outer 'curtain' or individual injection boreholes etc.v) The type of grout to be used, i.e., ratio of cement, water, other material (e.g. PFA) - this should take into consideration whether grouting is to take place above or below water table.vi) The thixotropy of the grout, i.e., how far will the grout extend into the cavity when injected. Again, this should take into consideration whether the works are above or below water table.vii) How long will the grouting works take.viii) How much grout is to be injected into both individual points and as a total quantity.- Monitoringi) Identify sites where grouting material could emerge, i.e., adits/drains into water courses etc.ii) Are proposals required for monitoring of such features during the work, i.e., which ones, frequency of monitoring. Mitigation measures should any impact on any feature occur during the workings.- Management recordsi) The previous days grouting operations (where grouted, how much grout used etc).ii) Location of areas to be grouted.iii) Boreholes used for grouting.iv) Times of injection into each borehole.v) Quantities of grout to be injected into each borehole (both projected and actual).vi) Records if quantity of grout "lost" in a borehole.vii) Pressure used in grouting at a borehole.viii) Type of grout used.ix) Any breakouts of grout.x) Any clean-up of grout at monitoring sites.If any significant problems arise during grouting works (for example unpredicted loss of grout or outbreaks), you may wish to consult with NRW.

3 1. In order to ensure the road works you are required to undertake are carried out to the satisfaction of the Local Planning Authority and subsequently adopted if you so wish you are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mrs Delyth Thomas, telephone number (01639) 686404 or e-mail d.a.thomas@npt.gov.uk) to agree the specification, enter an adoption agreement and arrange onsite inspection of your works.2. Any agreement to adopt the roads relating to this development should be entered into with the Council prior to the commencement of development. Such an agreement will be under Section 38 of the Highways Act 1980 relating to the specification, timescale and subsequent adoption of the roads and a Bond to ensure that the Authority can complete the works if the Developer defaults on the

roadworks.3. Prior to commencing any works on site the applicant will be required to enter into an agreement with the Authority under Section 278 of the Highway Act 1980 to carry out the works upon the existing public highway. You are advised prior to commencing any work on these works to contact the Head of Engineering and Transport Services at The Quays, Brunel Way, Baglan Energy Park, Neath, SA11 2GG (FAO Mrs Delyth Thomas, telephone number (01639) 686404 or e-mail d.a.thomas@npt.gov.uk) to agree the specification, enter the agreement and arrange on site inspection of your works.4.

Developers' attention is drawn to the provisions of Section 278 of the Highways Act, 1980 in cases where a development would require access or other works to be carried out within the existing highway. Where highway works to benefit a development require land adjacent to an existing highway to be constructed upon together with works on the existing public maintained highway, a hybrid S38/278 shall be used. Works that are to be undertaken within the existing public maintained highway only will require a S278 agreement. No Work shall be undertaken on the existing public maintained highway until the appropriate legal agreement has been entered into.5. Any works undertaken on the public highway without the appropriate legal agreement with the Highway Authority, the Highway Authority has the right to request the developer to remove and/or reinstate that part of the highway back to its original condition to the satisfaction of the Highway Authority. A plan detailing the differences between the existing and proposed highway shall be submitted to form part of the legal agreement, this should be made up of two colours, green for the proposed area to be adopted and brown for the existing highway. Developers are reminded that consent under the Town and Country Planning Act, 1990/91, conveys no approval for works to be undertaken affecting any part of the public highway, including verges and footways. The Developer must:-(i) Obtain the approval of Neath Port Talbot County Borough Council as Highway Authority for the details of any works to be undertaken in the Public Highway.(ii)

Indemnify the Authority against all claims arising from such works, including claims under the Land Compensation Act.(iii) Give not less than 10 working days notice in writing of the date of commencement of the works. As part of this process you are advised that only certain contractors are permitted to undertake the works on the public highway, a list of these contractors are available from the Highway Authority's Highway Development Control Section.

4 All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a trees in which bats are roosting, Natural Resources Wales must be contacted. If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately. NRW can be contacted at:- Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000 Bat Conservation Trust can be contacted at:-5th Floor, Quadrant House, 250 Kennington Lane, London, SE11 5DR, 0345 1300228 Where bats or their roosts are present, no works shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation. It is recommended that vegetation clearance and tree work should avoid the bird breeding season 1st March to 31st July inclusive in accordance with the Wildlife and Countryside Act 1981 (as amended).

5 This permission is subject to an obligation under Section 106 of the Town and Country Planning Act 1990, as amended.

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan

unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Neath Port Talbot Local Development Plan (2011-2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on the visual amenity and character of the area, residential amenity, highway and pedestrian safety, ecology, drainage or land contamination considerations. Accordingly, the proposed development is in accordance with Policies AH2, EN6, EN7, EN8, TR2 and BE1 of the Adopted Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

Signed: 

Ceri Morris – Head of Planning & Public Protection

Date: 25 February 2025

IMPORTANT:

(1) Please note that for all decisions issued after 16th March 2016 for outline or full planning permission, a revised decision notice will be issued whenever a subsequent consent is given, for example providing details of any Reserved Matters approvals (outline applications only) and/or approval of conditions (including on Reserved Matters). This will ensure that the current status of the conditions applied to a consent is clear. Accordingly you are advised to visit www.npt.gov.uk/planning to view the application documentation to see if this is the current version, or whether it has been superseded by a more up-to-date revision of this Decision Notice. For Reserved Matters approvals the revised Decision Notice will only be shown under the Outline approval.

(2) Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

(3) In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition). Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

(4) The developer should have regard to Sections 4, 7, 8 and 8A of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution's Code of Practice for "Design of buildings and their approaches to meet the needs of disabled people" (BS 8300:2009+A1:2010).

(5) From 1st October 2012 it has been an offence to install a public sewer or lateral drain without having an adoption agreement in place. From the 1st October 2012 the vast majority of all existing private sewers and lateral drains which link with the public sewer network were transferred to Welsh Water. For further details on how this will affect your development please contact: Welsh Water Developer Services, PO Box 3146, Cardiff, CF30 0EH. Telephone No. 0800 9172652 or email: developer.services@dwrcymru.com.

(6) Welsh Water Dwr Cymru advise that the planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industry Act 1991.

Please note, in accordance with Construction and Design Management (CDM) Regulations, it is the applicant's responsibility to ensure that any proposed works within their curtilage do not conflict with any underground services and is recommended they review their land registry title deeds for any legal covenants. For Sewers or Watermains that may be present and affected by your proposals, you are advised to contact Dwr Cymru Welsh Water who will be able to explain whether your proposed works will be acceptable as well as any consent required. Prior to commencing works, it is also recommend the applicant review the information and guidance on Building Over Sewers

available on Welsh Water's website at

<https://developers.dwrcymru.com/en/applications/planning/build-over-or-near-to-sewers>

The applicant is also advised that some public sewers and lateral drains may not be recorded on Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

IMPORTANT INFORMATION: TOWN AND COUNTRY PLANNING ACT 1990

The applicant's attention is drawn to the notes below.

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Welsh Government under Section 78 of the Town and Country Planning Act 1990 (as amended).
- (2) You can also appeal to the Welsh Government against a decision to refuse permission or grant subject to conditions in respect of applications made for :- Listed Building or Conservation Area Consent; Consent under a Tree Preservation Order; Advertisement Consent.
- (3) You can also appeal If your application for a Certificate of Lawful Existing Use or Lawful Proposed Use is partly or wholly refused or is granted differently from what you asked for (under Section 195/196) of the Town and Country Planning Act 1990 (as amended).
- (4) If you are aggrieved of the LPAs decision, the following deadlines apply for appeals to be submitted to the Welsh Government (from the date of the Council's decision):-

(1) Planning Permission (with the exception of Minor Commercial and Householder applications – see below)	Within 6 Months
(2) Householder Appeal see endnote i	Within 12 weeks
(3) Minor Commercial Appeal see endnote i	Within 12 weeks
(4) Listed Building or Conservation Area Consent appeals	Within 6 months
(5) Tree Preservation Order (TPO) Consent	Within 28 days
(6) Advertisement Consent	Within 8 weeks
(7) Certificate of Lawfulness of Existing (Section 191) or Proposed (Section 192) Use or Development	Within 6 months
(8) Hazardous Substances Consent	Within 6 months
- (5) Appeals must be made on a form which is obtainable from the Planning & Environment Decisions Wales, Crown Buildings, Cathays Park, Cardiff, CF10 3NQ – Tel 0300 060 4400, or online at <https://planningcasework.service.gov.wales/>.
- (6) The Welsh Government has power to allow a longer period for the giving of notice of appeal but they will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- (7) The Welsh Government is not required to entertain an appeal if it appears to them that permission for the proposed development could not have been granted having regard to the statutory requirements to the provisions of the development order, and to any directions given under the Order. They do not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by them.
- (8) If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Welsh Government, and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the County Borough Council, in which the land is situated, as the case may be, a **purchase notice** requiring that Council purchase his interest in the land in

accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Making an Appeal

- (9) Please note that for all applications received by the LPA after 5th May 2017, it is now a requirement that any appeal made to the Planning Inspectorate (other than Householder and Minor Commercial Appeals, and appeals against refusal to grant advertisement consent) must be accompanied by all the information and evidence you intend to rely upon (a **“full statement of case”**). You must also send a copy of the notice of appeal and full statement of case to the LPA.
- (10) In addition, for ‘planning appeals’ an amendment to an application following notice of appeal may only be made to correct an error.
- (11) Additional details and information on making an appeal to the Welsh Government is available from the Planning Inspectorate at the above address and website. The relevant documents are entitled “making your planning appeal” and “planning appeals Public Local Inquiries”.
- (12) Further correspondence regarding this application should bear the reference number quoted on the top of the decision notice.

THIS NOTICE RELATES ONLY TO A PLANNING DECISION AND DOES NOT RELATE TO OTHER LEGISLATION INCLUDING ANY LEGISLATION UNDER:

- BUILDING REGULATIONS – Please contact buildingcontrol@npt.gov.uk or 01639 686820 to discuss all aspects of the service that is offered by Building Control
- HIGHWAY LEGISLATION

IF PLANNING CONSENT HAS BEEN GRANTED IT IS ADVISABLE TO ESTABLISH WHETHER ANY OTHER FORM OF CONSENT IS REQUIRED AND TO OBTAIN SUCH CONSENT BEFORE COMMENCING DEVELOPMENT

ⁱ Please see the [Town and Country Planning \(Referred Applications and Appeals Procedure\) \(Wales\) Regulations 2017](#) for appeal procedures and for full definitions of:

- *“householder application”* (essentially an application for the enlargement, improvement or other alteration of a dwellinghouse, or development within the curtilage of such a dwellinghouse, or change of use to enlarge the curtilage of a dwelling house)
- *“householder appeal”* means an appeal in relation to a householder application, but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.
- *“minor commercial application”* (essentially relates to existing buildings of no more than 250 square metres gross external floor space at ground floor level, currently in use for any of the purposes set out in Schedule 1A to The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015 which is an application for change of use from Class A1 to A2 or A3; or Class A2 to A3); or the carrying out of building or other operations to a shop front.
- *“minor commercial appeal”* means an appeal in relation to a minor commercial application but excludes an appeal against conditions on the grant of planning permission; or an appeal which is accompanied by an enforcement or listed building consent appeal.